

IDAHO CONTRACTORS BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 10/14/2014

BOARD MEMBERS PRESENT: John Robert Pilote - Chair
Deborah Ann Karren
Gary Robert Bond

BOARD MEMBERS ABSENT: Charles Roy Ellis
Scott Schriber

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Eric Nelson, Board Prosecutor
Landon Brown, Board Prosecutor
Mary Miles, Technical Records Specialist I

OTHERS PRESENT: Neil Cowell
Ron Law
Robert Moffat

The meeting was called to order at 8:40 AM MDT by John Robert Pilote.

A motion was made by Ms. Karren to amend the agenda to add the judicial review of the George Ricks' denied application for registration. It was inadvertently left off the original agenda. It was seconded by Mr. Bond. Motion carried.

APPROVAL OF MINUTES

A motion was made by Mr. Bond to approve the minutes of 8/12/2014, 9/16/2014 and 9/24/2014. It was seconded by Ms. Karren. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that Representative Batt would be meeting with her regarding the proposal to amend Idaho Code 67-2614 regarding reinstatements to eliminate the requirement for those who are expired to pay more than one year back.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$150,212.11 as of 9/30/2014.

DISCIPLINE

Mr. Nelson presented a memorandum regarding cases CON-2013-36, CON-2013-82, CON-2014-4, CON-2014-27, CON-2013-11, CON-2013-38, CON-2014-11, CON-2013-10, CON-2014-1, CON-2013-59, CON-2013-73, and CON-2014-13. After discussion, the Board gave recommendations for appropriate discipline.

A motion was made by Ms. Karren to close the following cases: CON-2013-92, CON-2013-54, and CON-2013-15. It was seconded by Mr. Bond. Motion carried.

Mr. Nelson presented Stipulation and Consent Orders in cases CON-2012-79, CON-2013-14, CON-2013-58 and CON-2013-63. A motion was made by Mr. Bond to approve the Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Karren. Motion carried.

Mr. Nelson presented a Findings of Fact, Conclusion of Law and Final Order in case CON-2013-80. A motion was made by Mr. Bond to approve the Findings of Fact, Conclusion of Law and Final Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Karren. Motion carried.

EXECUTIVE SESSION

Mr. Bond made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Karren. The vote was: Mr. Pilote, aye; Ms. Karren, aye; and Mr. Bond, aye. Motion carried.

Ms. Karren made a motion to come out of executive session. It was seconded by Mr. Bond. The vote was: Mr. Pilote, aye; Ms. Karren, aye; and Mr. Bond, aye. Motion carried.

A motion was made by Ms. Karren to allow the reinstatement of RCE-7869 upon payment of fees, submission of a renewal form and insurance, compliance with the terms of the Stipulation and Consent Order, and a two-year probation. It was seconded by Mr. Bond. Motion carried.

DIG LINE UPDATE

Mr. Colwell and Mr. Law addressed the Board regarding the Idaho Dig Line. They plan to have a proposal for the 2015 Legislature. Discussion was held. Mr. Colwell and Mr. Law will attend the November Board meeting with an update.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

In cases I-CON-2014-272, I-CON-2015-44, I-CON-2014-311, I-CON-2014-315, I-CON-2015-11, I-CON-2015-24, I-CON-2015-32, I-CON-2014-323, I-CON-2015-10, I-CON-2015-25, I-CON-2015-27, I-CON-2015-28, I-CON-2015-31, and I-CON-2015-41, a

motion was made by Ms. Karren to approve the Bureau's recommendation and authorize closure. It was seconded by Mr. Bond. Motion carried.

In cases I-CON-2011-160, I-CON-2012-59, I-CON-2012-84, I-CON-2012-160, I-CON-2014-57, I-CON-2014-63, I-CON-2014-64, I-CON-2014-120, I-CON-2014-148, I-CON-2014-201, I-CON-2014-204, I-CON-2014-285 and I-CON-2015-1 a motion was made by Mr. Bond to approve the Bureau's recommendation and authorize closure with warning letters where recommended. It was seconded by Ms. Karren. Motion carried.

EXECUTIVE SESSION

A motion was made by Mr. Bond that the Board go into executive session under Idaho Code § 67-2345(1)(f) to discuss legal matters that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to discuss the George Ricks case. It was seconded by Ms. Karren. The vote was: Mr. Pilote, aye; Ms. Karren, aye; and Mr. Bond, aye. Motion carried.

A motion was made by Ms. Karren to come out of executive session. It was seconded by Mr. Bond. The vote was: Mr. Pilote, aye; Ms. Karren, aye; and Mr. Bond, aye. Motion carried.

TO DO LIST

The Board reviewed the to do list. No action was taken by the Board.

RENEWAL APPLICATION FORM

The Board reviewed the revised renewal application forms for both registration types. A change was being proposed to Question 1 regarding workers' compensation compliance. A motion was made by Mr. Bond to approve the revised renewal application form for both registration types. It was seconded by Ms. Karren. Motion carried.

APPLICATION FORM

The Board reviewed the revised application form. A change was being proposed to make the question regarding liability insurance more clear. A motion was made by Mr. Bond approve the revised application form for both registration types and post them to the web. It was seconded by Ms. Karren. Motion carried.

EXECUTIVE SESSION

A motion was made by Ms. Karren that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Bond. The vote was: Mr. Pilote, aye; Ms. Karren, aye; and Mr. Bond, aye. Motion carried.

A motion was made by Mr. Bond to come out of executive session. It was seconded by Ms. Karren. The vote was: Mr. Pilote, aye; Ms. Karren, aye; and Mr. Bond, aye. Motion carried.

APPLICATIONS

A motion was made by Ms. Karren to deny two applications. The motion failed for lack of a second.

A motion was made by Mr. Bond to deny the following registration based on Rule 165.02.a.iii regarding the number and pattern of felonies.

BEVERLAND JOHN BOYD

It was seconded by Ms. Karren. Motion carried.

A motion was made by Mr. Bond to approve the following for registration:

J - BROS ROOFING & CONSTRUCTION	RCE-38161
K S SPRINKLER AND LANDSCAPING LLC	RCE-38208
CANT STOP ROOFING LLC	RCE-38244
AHS CONSTRUCTION INC	RCE-38272
HURD JEREMY	RCT-38292
CORKRUM RUSSELL R	RCT-38313

It was seconded by Ms. Karren. Motion carried.

NEXT MEETING 11/18/2014

ADJOURNMENT

A motion was made by Ms. Karren to adjourn the meeting at 12:30 pm. It was seconded by Mr. Bond. Motion carried.

John Robert Pilote, Chair

Deborah Ann Karren

Scott Schriber

Gary Robert Bond

Charles Roy Ellis

Tana Cory, Bureau Chief